

**Notice of Allowability**

Application No.

09/577,658

Applicant(s)

OWEN ET AL.

Examiner

Jonathan G. Sterrett

Art Unit

3623

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5-4-07.
2. ☒ The allowed claim(s) is/are 2-6, 10, 11, 27 and 31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
**TARIQ R. HAFIZ**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

***Allowance***

1. **Claims 2-6, 10, 11, 27 and 31** are pending and allowed in the application.

**Claims 1, 7-9, 12-26, 28-30 and 32** have been cancelled. Please see the reasons for allowance below.

***Allowable Subject Matter***

2. **Claims 2-6, 10, 11, 27 and 31** are allowed.

***Reasons for Allowance***

3. The following is a statement of reasons for the indication of allowable subject matter:

None of the prior art of record, taken individually or in any combination, teach, inter alia, classifying the contact using a quality classification to indicate the value of the contact, the contact being classified according to one of the classifications, and classifying the customer by a customer classification, according to one of the classifications and generating a report which indicates which of the customers should be contacted and in what order. While pieces of prior art each teach many of these features, there is no motivation found within the art to combine these teachings to result in the claimed subject matter and, even if one was to combine the references, the combination would not expressly result in the claimed subject matter.

The prior art most closely resembling the Applicant's claimed invention are the **Upshot software product** and **Melchione US 5,930,764**.

First Upshot teaches a sales force automation system that tracks sales information. Upshot teaches updating a contact database with information received via a GUI where contacts are classified according to two categories (hot new leads and other leads). Upshot teaches tracking sales contacts that are in the sales pipeline so that sales people can manage the sales process. However Upshot does not teach classifying contacts with the customer nor the customers themselves according to the claimed categories (this is two dimensions of classification – one for the contact with the customer to classify the interaction; and another to classify the customers themselves). Upshot does not teach where some customers are placed on a do not call list. While Upshot teaches providing reports of current sales activities and providing a to-do list for sales people, Upshot does not provide a report which determines the order in which to contact sales leads or provide a report for comparing an individual sales person's metric with an established metric. Further, Upshot teaches tracking billing information (i.e. account information) but does not teach associating it with specific sales people because Upshot's tracking of sales activities is limited to what is in the sales pipeline rather than a past history of closed sales deals.

Melchione teaches a comprehensive database in conjunction with a company that is practicing direct marketing. Melchione's approach provides for a "do not call list" to prevent direct sales activities to "do not call" customers. However, Melchione's invention primarily addresses the performance of data mining and querying in a comprehensive database so that queries made to the database suggests customers for

bank employees to contact for marketing efforts and so that customers contacting a bank can be ensured of personalized service because the bank employee can immediately assess specific customer information for that customer and so provide personalized service. While Melchione generally teaches tracking sales person's activities in interacting with customers, there is no comparison to an established metric (e.g. a quota) because Melchione's invention does not address the needs of administering a sales force, rather how to enable a company's employees to provide individualized service to a customer when there are a vast number of customers and vast amounts of data characterizing individual customer activity. Melchione does not teach classifying customers according to the claimed categories nor does Melchione teach tracking edits to customer information. Melchione does not teach generating a report that determines the order in which customers should be contacted. Melchione does not teach importing historical information from a billing system and associating with individual sales contacts and individual sales representatives, so that this information is viewable by members of a sales force.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

**Conclusion**

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP 09101984 A by Hatanaka discloses a system for managing sales contact information for the purpose of segmenting customers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 571-272-6881. The examiner can normally be reached on 8-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGS

5-22-2007

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